CERTIFICATE OF SERVICE SUMMONS TO DEBTOR IN INVOLUNTARY CASE

Case Number: <u>15–51635–btb</u>

VESTMENT GROUP, LLC	
Debtor(s)	
	erved a copy of the within summons,
.,	
Group, LLC c/o:	
Manager:	Manager:
JJGG&C LLC	JWP Capital Holdings, Inc.
2173 Salk Ave.	302 Crownview Ct.
Carlsbad, CA 92008	San Marcos, CA 92069
the foregoing is true and correct.	
Signature:	/s/ Kevin A. Darby, Esq.
	[Signature]
	group, LLC c/o: Manager: JJGG&C LLC 2173 Salk Ave. Carlsbad, CA 92008

United States Bankruptcy Court District of Nevada

Case Number: <u>15-51635-btb</u> Chapter 11

In re:

WATTENBERG OIL & GAS INVESTMENT GROUP, LLC, 20 INDUSTRIAL PARKWAY CARSON CITY, NV 89706

Alleged Debtor(s)

SUMMONS TO DEBTOR IN INVOLUNTARY CASE

To the above named debtor(s):

A petition under title 11, United States Code was filed against you on 12/14/15 in this bankruptcy court, requesting an order for relief under chapter 11 of the Bankruptcy Code (title 11 of the United States Code).

YOU ARE SUMMONED and required to file with the clerk of the bankruptcy court a motion or answer to the petition within 21 days after the service of the summons. A copy of the petition is attached.

Address of the Clerk:

Clerk, U.S. Bankruptcy Court
C. Clifton Young Federal Building and U.S. Courthouse
300 Booth Street
Reno, NV 89509

At the same time, you must also serve a copy of the motion or answer upon the petitioner/petitioner's attorney.

Name and Address of Petitioner/Petitioner's Attorney:

KEVIN DARBY, ESQ. 4777 CAUGHLIN PARKWAY RENO, NEVADA 89519

Case 15-51635-btb Doc 5 Entered 12/16/15 10:30:08 Page 3 of 10 Case 15-51635-btb Doc 4 Entered 12/15/15 09:07:51 Page 2 of 3

A status conference will be held regarding the involuntary petition. Petitioning creditor(s) are required to appear at the status conference.

Courtroom Address:

United States Bankruptcy Court
C. Clifton Young Federal Building and U.S. Courthouse
Courtroom of the Honorable BRUCE T. BEESLEY
3/22/16
300 Booth Street
Reno, NV 89509

Date: BRUCE T. BEESLEY

3/22/16 Time: 9:00 AM

If you make a motion, your time to serve an answer is governed by Federal Rule of Bankruptcy Procedure 1011(c).

If you fail to respond to this summons, the order for relief will be entered.

Dated: 12/15/15

BY THE COURT

Many aSchot

Mary A. Schott

Clerk of the Bankruptcy Court

^{*} Set forth all names, including trade names, used by the debtor within the last 6 years. (Fed. R. Bankr. P. 1005).

CERTIFICATE OF SERVICE SUMMONS TO DEBTOR IN INVOLUNTARY CASE

Case Number: <u>15-51635-btb</u>

In re: WATTENBERG OIL & GAS IN	VESTMENT GROUP, LLC	
Alleged	Debtor(s)	
I, Kevin A. Darby, Esq. of ** Darby Law Practice, Ltd. 4777 Caughlin Parkway Reno, NV 89519		
certify:		
That I am, and at all times during the That on the 16th day of Decentogether with the petition filed in this First Class Mail Pursuant to the said debtor at	nber 20 15 Is	erved a copy of the within summons,
Wattenberg Oil & Gas Investment	Group, LLC c/o:	
Resident Agent: Corporation Service Company 2215-B Renaissance Dr. Las Vegas, NV 89119	Manager: JJGG&C LLC 2173 Salk Ave. Carlsbad, CA 92008	Manager: JWP Capital Holdings, Inc. 302 Crownview Ct. San Marcos, CA 92069
I certify under penalty of perjury that	the foregoing is true and correct.	
Executed on:12/15/2015	Signature:	/s/ Kevin A. Darby, Esq.
[Date]	-	[Signature]

Case 15-51635-btb Doc 5 Entered 12/16/15 10:30:08 Page 5 of 10

Case 15-51635-btb Doc 1 Entered 12/14/15 16:36:58 Page 1 of 4

Fill in this information to iden	ntify the case:	
	rict of NEVADA (State)	
	Chapter11	☐ Check if this is are amended filing
Official Form 205		
	etition Against a Non-	
a case against an individual, us	e the Involuntary Petition Against an Individual (C	e a debtor subject to an involuntary case. If you want to begin official Form 105). Be as complete and accurate as possible. If y additional pages, write debtor's name and case number (if
Part 1: Identify the Chapte	er of the Bankruptcy Code Under Which Pe	ition Is Filed
. Chapter of the	Check one:	
Bankruptcy Code	☐ Chapter 7 ☐ Chapter 11	
Part 2: Identify the Debtor	r	
. Debtor's name	WATTENBERG OIL & GAS IN	/ESTMENT GROUP, LLC
Other names you know the debtor has used in the last 8 years		
Include any assumed names, trade names, or doing business as names.	######################################	
Debtor's federal Employer Identification Number (EIN)	☑ Unknown	
	EIN	
. Debtor's address	Principal place of business	Mailing address, if different
	20 INDUSTRIAL PARKWAY	N
	Number Street	Number Street
		P.O. Box
	$\begin{array}{c c} CARSON CITY & NV \\ \hline City & State & ZIP College \\ \end{array}$	
		Location of principal assets, if different from principal place of business
	CARSON CITY COUNTY	
	County	Number Street

City

State

ZIP Code

Entered 12/16/15 10:30:08 Page 6 of 10 Case 15-51635-btb Doc 5

Case 15-51635-btb Entered 12/14/15 16:36:58 Page 2 of 4 Doc 1

WATTENBERG OIL & GAS INVESTMENT GROUP, LLC

Debtor

5. Debtor's website (URL)	None
. Type of debtor	Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
	Partnership (excluding LLP)
	U Other type of debtor. Specify:
. Type of debtor's business	Check one:
	☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
	☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
	Railroad (as defined in 11 U.S.C. § 101(44))
	☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
	☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
	Clearing Bank (as defined in 11 U.S.C. § 781(3))
	None of the types of business listed.
	☐ Unknown type of business.
To the best of your	∑ No
knowledge, are any	Yes. Debtor Relationship
bankruptcy cases pending by or against	resalionship
any partner or affiliate	District Date filed Case number, if known
of this debtor?	WIIWI / DID / TTTT
	Debtor Relationship
	District Date filed Case number, if known
	MM / DD / YYYY
art 3: Report About the	
Part 3: Report About the	
	e Case
	Check one: \[\textstyle \textst
o. Venue	Check one: Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district.
o. Venue	Check one: Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district. A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.
o. Venue	Check one: Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district. A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district. Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).
	Check one: Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district. A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district. Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b). The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).
o. Venue	Check one: Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district. A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district. Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b). The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a). At least one box must be checked: The debtor is generally not paying its debts as they become due, unless they are the subject of a bona
2. Has there been a	Check one: Check one: Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district. A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district. Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b). The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a). At least one box must be checked: The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount. Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the
). Venue	Check one: Check one: Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district. A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district. Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b). The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a). At least one box must be checked: The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount. Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

Case 15-51635-btb Doc 5 Entered 12/16/15 10:30:08 Page 7 of 10

Case 15-51635-btb Doc 1 Entered 12/14/15 16:36:58 Page 3 of 4

WATTENBERGOU & GAS INVESTMENT CROUD II C Debtor

Name VALIENBERG OIL & GAS INVESTMENT GROUP, LLC	Case number (if known)
---	------------------------

13. Each petitioner's claim	Name of petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
	Arkansas Urology, PA PSP & 401k	Loan/Promissory Note	2,008,168
	Gerard Geosciences, Inc./Gerard Family, LLC Leo & Meilinda Gerard	Loan/Promissory Note	1,100,000
	John Atkins	Loan/Promissory Note	750,000
		Total of petitioners' claims	\$ <u>3,858,168</u>

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature. along with the signature of the petitioner's attorney.

Part 4:

Request for Relief

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

reductiers of reductioners' Repr	resentative		Attorneys		
Name and mailing address of p	etitioner				
Arkansas Urology, PA Profi	it Sharing Plan a	and 401k	KEVIN A. DARBY, ES	Q.	
Name	it Sharing I lan a	ilu 401K	Printed name		
4109 Longview Rd.			DARBY LAW PRACT	ICE, LTD	
Number Street			riiii iianie, ii aliy		
Little Rock	Arkansas	72211	4777 CAUGHLIN PARI	KWAY	
City	State	ZIP Code	Number Street		
			RENO	NV	89519
Name and mailing address of p	etitioner's repres	sentative, if any	City	State	ZIP Code
Donald Keith Mooney, Trus	tee		Contact phone 775.322.1237	Email_kad(@darbylawpractice.com
4109 Longview Rd.			Bar number 7670		
Number Street					
Little Rock	Arkansas	72211	State Nevada		
City	State	ZIP Code			
I declare under penalty of perjury	that the foregoing	is true and correct.			
Executed on 12/13/2015 MM / DD / YYYY		,	/s/ Kevin A Darby, Esq.	•	
			Signature of attorney		
/s/ Donald Keith Mooney					
Signature of petitioner or representative	/e, including represe	ntative's title	Date signed 12/13/2015		
			MM / DD / YY	ΥY	

Case 15-51635-btb Doc 5 Entered 12/16/15 10:30:08 Page 8 of 10

Case 15-51635-btb Doc 1 Entered 12/14/15 16:36:58 Page 4 of 4

Debtor WATTENBERG OIL & GAS INVESTMENT GROUP, LLC

Jame	

Case number (if known)____

Name and mailing address	•					
Gerard Geosciences, Inc	e, et al	***************************************	KEVIN A. Printed name	DARBY, ESQ.		
4031 East 115th Place				LAW PRACTICE	TTD	
Number Street		**************************************	Firm name, if a		, L1D	
Thornton	60	00222	4777 CAI	IGHLIN PARKW	IAV	
City	CO State	80233 ZIP Code	Number Stre		AI	
• •		2 0000	RENO		NV	89519
Name and mailing address	of petitioner's repre	sentative, if any	City		State	ZIP Code
Leo C Gerard	•		Contact phone	775.322.1237	Email kad@	darbylawpractice.com
Name						
4031 East 115th Place			Bar number	7670		
Number Street		**************************************		NELLANA		
Thornton	CO	80233	State	NEVADA	•	
City	State	ZIP Code				
I declare under penalty of pe	rjury that the foregoing	is true and correct.				
Executed on 12/10/2015			🗶 /s/ Kevin	A Darby, Esq.		
MM / DD / YYYY	(Signature of att	torney		***************************************
🗶 /s/ Leo C Gerard						
Signature of petitioner or represe	antotico includina accesso		Date signed	12/13/2015	_	
organisa or political or topicous	mante, morading represe	maryo o nao		MM / DD / YYYY		
Name and mailing address John E. Atkins Name	of petitioner		KEVIN A. Printed name	DARBY, ESQ.	· · · · · · · · · · · · · · · · · · ·	AMALA 4
2803 Breckenridge Dr.			DARBY L	AW PRACTICE,	LTD	
Number Street			Firm name, if a			
Little Rock	Arkansas	72227-2915	4777 CAU	GHLIN PARKW	AY	
City	State	ZIP Code	Number Stre			
			RENO		NV	89519
Name and mailing address	of petitioner's repres	entative, if any	City		State	ZIP Code
			Contact phone	775.322.1237	_ Email kad@	darbylawpractice.con
Name				7670		
			Bar number	7670		
Number Street			State	NEVADA		
City	State	ZIP Code	Glate			
ONY	Glate	ZIF Code				
I declare under penalty of per	rjury that the foregoing	is true and correct.	1-177	AD. L. D		
Executed on 12/11/2015			/s/ Kevin	A Darby, Esq.		
MM / DD / YYYY			Signature of atte	orney		
/s/ John E. Atkins				12/12/2015		
Signature of petitioner or represe	ntative, including represer	ntative's title	Date signed	12/13/2015 MM / DD / YYYY		
	,			, 55 / 1111		

Entered 12/14/15 16:57:09 Page 1 of 2 1 Kevin A. Darby (NV SBN 7670) Tricia M. Darby (NV SBN 7956) 2 DARBY LAW PRACTICE, LTD. 4777 Caughlin Parkway 3 Reno, Nevada 89519 4 Phone: (775)322-1237 Facsimile: (775) 996-7290 5 kevin@darbylawpractice.com Attorneys for Petitioning and Joining Creditors 6 7 8 UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA 9 10 In re: CASE NO.: BK-N-11--btb 11 Chapter 11 WATTENBERG OIL & GAS INVESTMENT 12 GROUP, LLC, 13 JOINDER IN INVOLUNTARY PETITION Debtor. PURSUANT TO 11 U.S.C. §303(c) 14 Hearing Date: TBD 15 Hearing Time: 16 BILL NACHATILO, MIKE JESSEN, MATT JESSEN, WR BOB ATKINS, JAY 17 ATKINS, and MARK THURMAN (collectively, the "Joining Creditors"), each unsecured 18 creditors of Wattenberg Oil & Gas Investment Group, LLC (the "Debtor"), by and through their 19 20 Counsel KEVIN A. DARBY, ESQ. of Darby Law Practice, Ltd., hereby join the involuntary bankruptcy petition filed against the Debtor by DONALD KEITH MOONEY, as Trustee of the 21 Arkansas Urology, PA PSP & 401k, GERARD GEOSCIENCES, INC, GERARD FAMILY LLC, 22 LEO & MELINDA GERARD and JOHN E. ATKINS (collectively, the "Petitioning Creditors") 23 on December 14, 2015 (the "Involuntary Petition"). This joinder is filed pursuant to 11 U.S.C. 24 §303(c). 25 26 /// /// 27 /// 28

Entered 12/16/15 10:30:08

Page 9 of 10

Case 15-51635-btb

Case 15-51635-btb

Doc 5

Doc 2

Case 15-51635-btb Doc 5 Entered 12/16/15 10:30:08 Page 10 of 10

Case 15-51635-btb Doc 2 Entered 12/14/15 16:57:09 Page 2 of 2

The Joining Creditors are located at the following addresses and hold claims in the following amounts:

Creditor	Mailing Address	Claim Amount
Bill Nachatilo	249 E Elgin St. Spearfish, SD 57783.	\$480,000
Mike Jessen	17325 391st. Avenue, Redfield, SD 57469	\$25,000
Matt Jessen	17550 391st. Avenue, Redfield, SD 57469	\$25,000
WR Bob Atkins	317 W. Longhills Rd, Benton, AR 72015-1695	\$20,000
Jay Atkins	2803 Breckenridge Drive, Little Rock, AR 72227-2915	\$20,000
Mark Thurman	111 Maylou Terrace, Hot Springs, AR 71913	\$10,000

The Joining Creditors refer to and make part of this Joinder each and every allegation of (1) the Involuntary Petition; (2) the Emergency Motion under 11 USC §§ 303(f) and (g), 105 and 1114(a) For: (a) an Order Appointing a Trustee and Authorizing the Trustee to Operate the Debtor's Business; and (b) Prohibiting Debtor's Management From Exercising any Rights Related to the Debtor, filed by the Petitioning Creditors on December 14, 2015.

Based on the foregoing, the Joining Petitioners join in the Petitioning Creditor's request that an order for relief be entered against the Debtor under chapter 11 of title 11 of the United States Code and that a chapter 11 Trustee be appointed for the Debtor.

DATED this 14th day of December, 2015.

DARBY LAW PRACTICE, LTD.

By: /s/ Kevin A. Darby, Esq.
KEVIN A. DARBY, ESQ.
Counsel for Petitioning Creditors
and Joining Creditors

-2-